



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/895,879	06/28/2001	Anthony F. Istvan	005217.P054	5379

47053 7590 10/05/2006

CHRISTENSEN O'CONNOR JOHNSON KINDNESS PLLC  
1420 FIFTH AVENUE  
SUITE 2800  
SEATTLE, WA 98101-2347

EXAMINER

TRAN, HAI V

ART UNIT PAPER NUMBER

2623

DATE MAILED: 10/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/895,879

Applicant(s)

ISTVAN ET AL.

Examiner

Hai Tran

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) 1-12 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 13-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments with respect to claim 13-35 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 13-35 are rejected under 35 U.S.C. 102(e) as being unpatentable by Ellis et al. (US 2005/0251827).

Claims 13 and 6, Ellis discloses a method/a configuration system of/for providing configuration information for at least one user object to an access device in a communication network system having a server and a plurality of access devices (Fig. 3-6; §015; §072), the method comprising:

Organizing the plurality of access devices according to an object-oriented model in which software objects are instantiated/represented in an object hierarchy,

the object hierarchy including household objects, i.e., primary or secondary device, that contain user objects, i.e., parental setting (see Fig. 11 and 18 A-B),

The household objects (GUI that lists the devices and control options for selected devices and locations, i.e., Guest room, children room..., within the house/household) further containing configuration information associated with households in which the plurality of access devices are located, wherein each household is represented by a household object (see Fig. 18a-b; §0098-0099); and

The user objects containing configuration information associated with respective users of the plurality of access devices and, when instantiated, each user object defines interaction of a respective user with an access device in which the user object is instantiated (reads on respective room device assignment with its corresponding profile/setting; Fig. 3-5; Fig. 14; §0093);

Receiving information that an access device is being associated with a household (reads on user login userid and password in which the system determines login authorization, §0094) ;

Determining whether the access device is a household' s 1<sup>st</sup> access device; and If the access device is not the 1<sup>st</sup> access device of the household, then instantiating in the access device at least one user object from the household object representing the household, wherein the user object, when instantiated, inherits the configuration information of the user objects as recorded with the household object (reads on user login userid and password to a secondary device in which the system determine the secondary device is not the primary device. Thus, a corresponding

setting profile associated with the userid and device location will be loaded to the secondary device; §0009 and see page 7, 0093-0094).

Claims 14 and 17, Ellis further discloses further comprising receiving configuration information for at least one user object from a user via the access device when the access device is the 1<sup>st</sup> access device of the household (reads on the user uses the primary device for changing the setting for all other devices; see page 7, §0089-0094).

Claims 15 and 18, Ellis further discloses further comprising providing to the access device a ticket number corresponding to the configuration information received from the user, which ticket number tracks the version of the configuration received from the user (reads on each time the user changes the setting configuration, see fig. 18a, the system inherently generates a ticket number or a revision number or version number corresponding to the updated setting configuration, see page 7, §0098-0100. In doing so, the access device, i.e., secondary device, is able to determine the most recent setting configuration based on the "ticket number"/version number and thereby providing to user up-to-date control access configuration).

Claim 19, Ellis further discloses a computer readable medium for use in a multimedia communication network system having a server and a plurality of access

devices, the computer readable medium having instructions that when executed by the server cause the server to perform operations as discussed in method claim 13.

Claim 20, Ellis further discloses the computer readable medium is further analyzed as to method claim 14.

Claim 21, Ellis further discloses the computer readable medium is further analyzed as to method claim 15.

Claim 22, Ellis further discloses wherein information that the access device is being associated with the household is automatically received in response to a user coupling the access device to the multimedia communication network system (see page 7, §0094).

Claim 23, Ellis further discloses wherein receiving information that an access device is being associated with the household includes prompting the user to identify the household when the access device is being coupled to the multimedia communication network system (reads on user login with unique number, §0094);

Claim 24, Ellis further discloses further comprising providing to the access device an indication of whether the access device is determined to be the household 1<sup>st</sup> access device (by providing to user an opportunity to set parental control, see

Fig. 18a. The access device itself is determined to be the household 1<sup>st</sup> access device because only the 1<sup>st</sup> access device or primary device able to control all other secondary devices within the household; page 4, §0072);

Claim 25, Ellis further discloses wherein the access device is not the 1<sup>st</sup> access device of the household, the configuration information for the at least one user object is automatically provided to the access device (reads on any devices within the household receive a corresponding setting configuration according the setting set by the parent ; see page 4, §0072 and page 7, §0098);

Claim 26, Ellis further discloses further comprising, when the access device is not the 1<sup>st</sup> access device of the household, instantiating in the access device all of the user objects from the household object representing the household (reads on the access advice at the remote location in which parent able to control all the household access devices through GUI (household object) see page 7, §0101-0105).

Claim 27, Ellis further discloses wherein the configuration information for all of the user objects is automatically provided to the access device (reads on the state and configuration of all the household access devices is provided to the remote access device at remote location; see page 7, §0101-0105).

Claim 28, Ellis further discloses wherein the configuration information for all of the user objects is provided to the access device in response to a request (see page 7, §0101).

Claim 29, Ellis further discloses further comprising receiving updated configuration information for the at least one user object via the access device (see page 7, §0097-0098).

Claim 30, Ellis further discloses further comprising determining whether an administrator attribute in the at least one user object enables a protected setting in the configuration information to be updated (see Fig. 18a in which the parent able to change the blocking attribute; see page 7, §0098);

Claim 31, Ellis further discloses further comprising automatically providing to the access device updated configuration information for the at least one user object (see Fig. 18a and page 7, §0098).

Claim 32, Ellis further discloses wherein the updated configuration is provided to the access device via a ticket number (reads on each time the user changes the setting configuration, see fig. 18a, the system inherently generates a ticket number or a revision number or version number corresponding to the updated setting configuration, see page 7, §0098-0100. In doing so, the access device, i.e.,



secondary device, is able to determine the most recent setting configuration based on the "ticket number"/version number and thereby providing to user up-to-date control access configuration).

Claim 33, Ellis further discloses further comprising, when the access device is the household's 1<sup>st</sup> access device, providing to the access device configuration information for at least one user object that was created beforehand (reads on the default admin/parent configuration that is inherently assigned to the primary/parent device that parent/admin has the full control access of the system; see page 6, §0089-page 7, §0095).

Claim 34, Ellis further discloses wherein the at least one user object was created by a service provider in the multimedia communication network system (page 4, §0070);

Claim 35, Ellis further discloses further comprising receiving the ticket number from the access device and, in response thereto, providing to the access device a different ticket number with updated configuration information for the at least one user object (reads on each time the user changes the setting configuration, see fig. 18a, the system inherently generates a ticket number or a revision number or version number corresponding to the updated setting configuration, see page 7, §0098-0100. as such, the primary device receives the secondary device's setting

configuration which has a corresponding version number. In turn the primary device changes/updates/modifies the corresponding setting configuration thereby providing to the corresponding secondary device with an updated version number of control access configuration; see Fig. 14 and page 7, §0093) .

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai Tran whose telephone number is (571) 272-7305. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher S. Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HT:ht  
09/28/2006

A handwritten signature in black ink, appearing to read 'HAITRAN', is written over two horizontal lines.

**HAITRAN**  
**PRIMARY EXAMINER**